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An Act To Extend the Application of Certain Rebuttable Presumptions in the Child Protection Laws

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 18-A MRSA §9-304, sub-§(b-1), ¶(2), as enacted by PL 2005, c. 366, §1, is amended to read:

(2). Has been adjudicated in an action under Title 22, chapter 1071, or in a similar action in another state or federal court, of sexually abusing a person who was a minor at the time of the abuse.

Sec. 2. 19-A MRSA §1653, sub-§6-B, ¶B, as enacted by PL 2005, c. 366, §3, is amended to read:

B. Has been adjudicated in an action under Title 22, chapter 1071, or in a similar action in another state or federal court, of sexually abusing a person who was a minor at the time of the abuse.

Sec. 3. 22 MRSA §4005-E, sub-§3, ¶B, as enacted by PL 2005, c. 366, §6, is amended to read:

B. Has been adjudicated in an action under Title 22, chapter 1071, or in a similar action in another state or federal court, of sexually abusing a person who was a minor at the time of the abuse.

SUMMARY

This bill allows the use of a rebuttable presumption that jeopardy exists when a child has contact with a person who was convicted of the criminal offense of sexual abuse of a child whether the person was convicted in Maine or in another state or federal court.